

BEFORE THE INDIANA
STATE BOARD OF NURSING
CAUSE NUMBER: 2009 NB 131

IN THE MATTER OF THE LICENSE OF:)
PATTY JEAN GARLICK, R.N.,)
LICENSE NUMBER: 28077437A)

FILED

AUG 18 2014

Indiana Professional
Licensing Agency

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

The Indiana State Board of Nursing ("Board"), pursuant to Ind. Code § 4-21.5-3-9, held an administrative hearing on July 17, 2014, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana 46204, concerning Patty Jean Garlick's ("Respondent") request to have her registered nurse license reinstated.

Respondent was present in person and waived her right to counsel. Leif K. Johnson, Deputy Attorney General, represented the State of Indiana.

The Board, after considering the evidence presented and taking official notice of the file in this matter, by a vote of 7-0-0, recommends the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent, whose mailing address is 18776 Long Walk Lane, Noblesville, Indiana 46060, is a registered nurse with license number 28077437A.
2. The Board is empowered to hold this administrative hearing pursuant to the authority of Ind. Code § 25-1-9-9 and Ind. Code § 4-21.5-3.
3. On August 14, 2009, the Board suspended Garlick's registered nurse license after accepting a settlement agreement in which Garlick stipulated to having violated Ind. Code § 25-1-9-4(a)(4)(D), continuing to practice while being unfit to practice due to addiction to, abuse of,

or severe dependency upon alcohol or other drugs, and Ind. Code § 25-1-9-4(a)(1)(A), engaging in fraud or material deception in order to obtain a license to practice.

4. On April 23, 2014, Garlick requested that the Board hold a hearing concerning her petition for reinstatement.

5. At the hearing on reinstatement, Garlick admitted during her sworn testimony that in April 2008, she had run out in front of moving traffic, away from police officers, as an attempt to kill herself in order to avoid going back to jail.

6. Since the time of the April 2008 incident, Garlick has not provided the Board with any evidence of a favorable mental health assessment.

7. Garlick's past suicide attempt, with no mental health assessment performed since that time, constitutes evidence that she may not be able to practice with reasonable skill, safety, and competency to the public.

CONCLUSIONS OF LAW

1. "The board may reinstate a license which has been suspended under this chapter if, after a hearing, the board is satisfied that the applicant is able to practice with reasonable skill and safety to the public. As a condition of reinstatement, the board may impose disciplinary or corrective measures authorized under this chapter." Ind. Code § 25-1-9-11.

2. Garlick's admission to facts which call her mental health into question demonstrate that reinstatement should be denied at this time.

ORDER

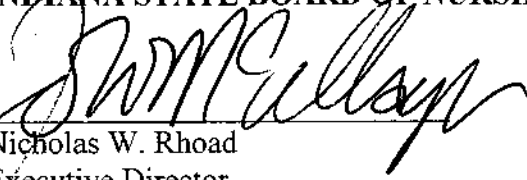
Based upon the foregoing Findings of Fact and Conclusions of Law, the Board **DENIES** Respondent's petition for reinstatement. Furthermore, the Board modifies the previous terms of suspension and imposes the following terms: Respondent may not petition for reinstatement until

she submits a Minnesota Multiphasic Personality Inventory-2 (MMPI-2) assessment to the Board for its consideration. All other terms remain in full force and effect.

SO ORDERED, this 16th day of August, 2014.

INDIANA STATE BOARD OF NURSING

By:


for Nicholas W. Rhoad
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Findings of Fact, Conclusions of Law and Order" has been duly served upon:

Patty Jean Garlick
18776 Long Walk Lane
Noblesville, IN 46060
Service by U.S. Mail

Leif K. Johnson
Deputy Attorney General
302 West Washington Street, 5th Floor
Indianapolis, Indiana 46204
Service by Email

Aug. 18 2014
Date

Lisa Chapman
Lisa Chapman

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Explanation of Service Methods

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